APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/520,797	02/23/2006	Joaquin Picon	FR920020033US1	9922

45095   7590   07/09/2008
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EXAMINER
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ART UNIT	PAPER NUMBER
2175	

NOTIFICATION DATE	DELIVERY MODE
07/09/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTOCommunications@HWDPATENTS.COM

	Application No.	Applicant(s)
Office Action Summary	10/520,797	PICON ET AL.
	Examiner	Art Unit	
	ASHRAF ZAHR	2175	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>01 May 2008</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-8</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-8</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)   Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This is the second action on the merits for application number 10/520,797.

Claims 1-8 are pending in this application.

Response to Arguments

Claim Rejections - 35 USC § 112

2.   The amendments to claim 3 have been received and it appears they over

this rejection. Therefore, this rejection is withdrawn.

Claim Rejections - 35 USC § 101

3.   The amendments to claim 7 have been received and it appears that they

have made the claim to statutory. Therefore, this rejection is withdrawn.

Claim Rejections - 35 USC § 103

4.   Applicant argues, "Bolosky does not teach or suggest a method for

managing data using a file name on a computer system having a graphical user

interface and a file system storing files with a file hierarchy, including the feature

of "in each of the other selected folders, creating a shortcut file having a different

file name from the first file and containing a pointer to the first file." (Claim 1, lines

8-9.)"

        Bolosky states, "this file ID number is used by SIS to identify the file,

thereby any user-renaming of the link file by the user is not an issue" (Bolsky, col

7, In 40-45). This indicates that the user can rename the link file, which would

mean that the common store file and the link file can have different names but are still linked to the same file. Therefore, the examiner respectfully disagrees with the applicant.

5.   Applicant argues, "Bolosky neither teaches nor suggests the feature of "displaying the file hierarchy," (claim 1, line 5), as asserted by the Office. Applicants respectfully submit that the use of a file manager and a goal of creating a "friendly graphical user interface" (Office Action, p. 5) do not teach or suggest actually displaying the file hierarchy."

A file manager is known to display a file hierarchy. Since files in the Windows Operating system are known to be stored in hierarchical fashion, i.e. using folders, sub-folders, and files. The file manager used to display these files clearly suggests displaying a file hierarchy. Therefore, the examiner respectfully disagrees with the applicant.

FINAL REJECTION

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable
over Bolosky, US 6,477,544 (Hereinafter, Bolosky), in view of Applicant's
Admitted Prior Art (Hereinafter AAPA).

Regarding Claim 1, Bolosky discloses, "a method for managing data
using a file name on a computer system having a graphical user interface and a
file system storing files with a file hierarchy, the method comprising the steps of:
entering a command from an application to create a file". Specifically, a user via
a SIS Copyfile request may request that a source file be copied to a destination
file (Bolosky, col 5, ln 47-49).

Bolosky also discloses, "allowing a user to select at least one folder".
Specifically, Bolosky discloses a file server may place links for many client user
on each user's private directory (Bolosky, col 5, ln 61-63).

Bolosky also discloses, "saving data in a first file having a file name in one
selected folder". Specifically, Bolosky discloses, the SIS_COPYFILE request 60
to the SIS facility 62 normally results in a single instance representation of the
original source file data with links thereto, each link corresponding to the source
and destination files, respectively (Bolosky, col 5, ln 56-58).

Bolosky also discloses, "in each of the other selected folders, creating a
shortcut file having a different file name from the first file and containing a pointer
to the first file". Specifically, Bolosky discloses a file server may place links for
many client user on each user's private directory (Bolosky, col 5, ln 61-63).
Bolosky also states, "this file ID number is used by SIS to identify the file, thereby

any user-renaming of the link file by the user is not an issue" (Bolsky, col 7, ln 40-45). This indicates that the user can rename the link file, which would mean that the common store file and the link file can have different names but are still linked to the same file.

Bolsky also discloses, "creating a hidden file in the folder containing the first file, the hidden file containing a list of pointers to the shortcut files". Specifically, Bolsky discloses a common store file that includes file data and a backpointer stream that is preferably hidden to users (Bolsky, Fig 2B, Col 6, ln 27-35).

Bolsky also discloses, "using the hidden file during file management operations to keep track of occurrences of the shortcut files in the file hierarchy". Specifically, Bolsky also discloses that link files and user files are managed by the SIS facility (Bolsky, col 6, ln 33-35).

Bolsky does not specifically disclose, "displaying the file hierarchy". However as the spec (AAPA) points out in the background of the invention ¶1, "Every operating system includes a file system to manage data files. An API is provided by the operating system to develop applications providing an interface to the user to manage his own files. A typical application is a file manger to create, move, copy, delete, and rename files…". It would be obvious to one of ordinary skill in the art to provide a file manager for the file system in Bolsky. The motivation to do so would be to provide "a friendly graphical user interface" (Background of the Invention, ¶1).

Regarding Claim 2, Bolosky also discloses, "the method of claim 1 further
comprising the steps of: entering a command from an application to open a file".
Specifically, Bolosky discloses an open request in the form of an IRP (Bolosky,
col 8, ln 52-53).

Bolosky also discloses, "selecting a file having a different name from the
first file". Specifically, the request has the name of the file being requested
(Bolosky, col 8, ln 52-53).

Bolosky also discloses, "if the file to be opened is not a shortcut file,
opening the first file". Specifically, the SIS filter 62' opens the common store file
68 identified in the reparse point if the common store file 68 is not already open,
and reads the signature therein (Bolosky, col 9, ln 30-33).

Bolosky also discloses, "if the file to be opened is a shortcut file, pointing
to and opening the first file". Specifically, the SIS filter 62' opens the common
store file 68 identified in the reparse point if the common store file 68 is not
already open, and reads the signature therein (Bolosky, col 9, ln 30-33).

Bolosky does not specifically disclose, "displaying the file hierarchy" and
selecting one of the at least one folder". However as the spec (AAPA) points out
in the background of the invention ¶1, "Every operating system includes a file
system to manage data files. An API is provided by the operating system to
develop applications providing an interface to the user to manage his own files.
A typical application is a file manger to create, move, copy, delete, and rename
files...". It would be obvious to one of ordinary skill in the art to provide a file

manager for the file system in Bolosky. The motivation to do so would be to provide "a friendly graphical user interface" (Background of the Invention, ¶1).

Regarding Claim 3, Bolosky also discloses, "the method of claim 1 further comprising the steps of: entering a command from an application to delete a file". Specifically, Bolosky discloses there is shown a process employed by SIS after a link file is deleted (e.g., by file I/O) (Bolosky, col 13, ln 27-30).

Bolosky also discloses, "selecting the file having a file name". Specifically, a file must be inherently selected in order to be deleted (Bolosky, col 13, ln 27-30).

Bolosky also discloses, "if a hidden file does not exist, deleting the file". Specifically, step 1208 deletes the common store file when the backpointer stream is both empty and trusted, thereby reclaiming the disk space (Bolosky, col 13, ln 1-3).

Bolosky also discloses, "if a hidden file exists and if the selected file is a shortcut file, deleting the shortcut file and updating the hidden file accordingly". Specifically, when a SIS link is deleted or reconverted to a regular file, the common store file 68 corresponding to that SIS link file is not necessarily deleted because other links may be pointing to that common store file 68. Thus, at step 1202, the backpointer stream 94 is evaluated to determine if the deleted backpointer was the last backpointer remaining in the stream, i.e., there are no more backpointers (Bolosky, col 13, ln 30-37).

Bolosky also discloses, "if a hidden file exists and if the selected file is not

a shortcut file, replacing one of the shortcut files by the selected file, updating the

hidden file accordingly, moving the hidden file into the folder of the replaced

shortcut file and deleting the selected file". Specifically, If it is not the last

backpointer, then there is at least one other link file pointing to the common store

file 68, the common store file 68 is thus still needed, and the process ends. In

this manner, logically independent links to the common store file are again

supported, as deleting one link file does not affect any other link file (Bolosky, col

13, ln 37-42).

Bolosky does not specifically disclose, "displaying the file hierarchy and

selecting one of the at least one folder". However as the spec (AAPA) points out

in the background of the invention ¶1, "Every operating system includes a file

system to manage data files. An API is provided by the operating system to

develop applications providing an interface to the user to manage his own files.

A typical application is a file manger to create, move, copy, delete, and rename

files...". It would be obvious to one of ordinary skill in the art to provide a file

manager for the file system in Bolosky. The motivation to do so would be to

provide "a friendly graphical user interface" (Background of the Invention, ¶1).

Regarding Claim 4, Bolosky does not specifically disclose, "the method of

claim 3 further comprising the steps of: if a hidden file exists: displaying a

button to delete the selected file from all folders containing the file or a shortcut

file to the selected file". Every operating system includes a file system to

manage data files. An API is provided by the operating system to develop
applications providing an interface to the user to manage his own files. A typical
application is a file manger to create, move, copy, delete, and rename files…". It
would be obvious to one of ordinary skill in the art to provide a file manager for
the file system in Bolosky. The motivation to do so would be to provide "a
friendly graphical user interface" (Background of the Invention, ¶1).

Bolosky also discloses, "if the button is selected, deleting the selected file
and all the other shortcut files or non-shortcut file and belonging to other folders".
Specifically, when a SIS link is deleted or reconverted to a regular file, the
common store file 68 corresponding to that SIS link file is not necessarily deleted
because other links may be pointing to that common store file 68. Thus, at step
1202, the backpointer stream 94 is evaluated to determine if the deleted
backpointer was the last backpointer remaining in the stream, i.e., there are no
more backpointers (Bolosky, col 13, ln 30-37).

Regarding Claim 5, Bolosky also discloses "the method of claim 1 further
comprising the steps of: entering a command from an application to move a file".
Specifically, the file name is inherently selected in the copyfile request (Bolosky,
col 5, ln 47-49).

Bolosky also discloses, "selecting a file having a different file name".
Specifically, the file name is inherently selected in the copyfile request (Bolosky,
col 5, ln 47-49).

Bolosky also discloses, "selecting a target folder". Specifically, the file name is inherently selected in the copyfile request (Bolosky, col 5, ln 47-49).

Bolosky also discloses, "if a hidden file does not exist, moving the selected file". Specifically, if the source file 64 is not a SIS link, step 402 branches to step 404 where the contents of the source file 64 are copied as file data 76 to a newly allocated file in the common store 78, i.e., the SIS common store file 68 (FIG. 2A) (Bolosky, col 7, ln 27-30).

Bolosky also discloses, "if a hidden file exists and if the selected file is a shortcut file, moving the shortcut file and updating the hidden file accordingly". Specifically, step 410 represents the adding of identifiers of any new link files (via conversion, step 406 or creation, step 408) to the backpointer stream 94 maintained in the common store file (Bolosky, col 8, ln 37-42).

Bolosky also discloses, "if a hidden file exists and if the selected file is not a shortcut file, moving the file to the target folder, updating the hidden file accordingly, and moving the hidden file to the target folder.

Bolosky does not specifically disclose, "displaying the file hierarchy and selecting one of the at least one folder". However as the spec (AAPA) points out in the background of the invention ¶1, "Every operating system includes a file system to manage data files. An API is provided by the operating system to develop applications providing an interface to the user to manage his own files. A typical application is a file manger to create, move, copy, delete, and rename files...". It would be obvious to one of ordinary skill in the art to provide a file

manager for the file system in Bolosky. The motivation to do so would be to provide "a friendly graphical user interface" (Background of the Invention, ¶1).

Regarding Claim 6, Bolosky also discloses, "the method of claim 1 further comprising the steps of: entering a command from an application to copy a file". Specifically, in FIG. 2A, a user, via a SIS copy file request 60 to a SIS facility 62, may explicitly request that a source file 64 be copied to a destination file 66 as a SIS copy of the file. Specifically, a user via a SIS Copyfile request may request that a source file be copied to a destination file (Bolosky, col 5, ln 47-49).

Bolosky also discloses, "selecting a file having the file name". Specifically, the file name is inherently selected in the copyfile request (Bolosky, col 5, ln 47-49).

Bolosky also discloses, "selecting a target folder". Specifically, the target folder is inherently selected in the copyfile request (Bolosky, col 5, ln 47-49).

Bolosky also discloses, "if a hidden file does not exist, copying the selected file". Specifically, if the source file 64 is not a SIS link, step 402 branches to step 404 where the contents of the source file 64 are copied as file data 76 to a newly allocated file in the common store 78, i.e., the SIS common store file 68 (FIG. 2A) (Bolosky, col 7, ln 27-30).

Bolosky also discloses, "if a hidden file exists, creating in the target folder a shortcut file of the selected file and updating the hidden file accordingly". Specifically, step 410 represents the adding of identifiers of any new link files (via

conversion, step 406 or creation, step 408) to the backpointer stream 94
maintained in the common store file (Bolosky, col 8, ln 37-42).

Bolosky also discloses, "displaying the file hierarchy and selecting one of
the at least one folder". However as the spec (AAPA) points out in the
background of the invention ¶1, "Every operating system includes a file system to
manage data files. An API is provided by the operating system to develop
applications providing an interface to the user to manage his own files. A typical
application is a file manger to create, move, copy, delete, and rename files…". It
would be obvious to one of ordinary skill in the art to provide a file manager for
the file system in Bolosky. The motivation to do so would be to provide "a
friendly graphical user interface" (Background of the Invention, ¶1).

Regarding Claim 7, applicant claims a "computer readable medium
storing computer instructions, which when executed, enables a computer system
to manage data using a file name on a computer system having a graphical user
interface and file system storing files with a file hierarchy". This claim is
substantially similar to claim 1 and is therefore rejected based upon the same
reasoning used to reject clam 1.

Regarding Claim 8, applicant claims "a computing system comprising
means adapted for executing the computer instructions of claim 7". This claim is
substantially similar to claim 1 and is therefore rejected based upon the same
reasoning used to reject clam 1.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of

time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire

THREE MONTHS from the mailing date of this action. In the event a first reply is

filed within TWO MONTHS of the mailing date of this final action and the advisory

action is not mailed until after the end of the THREE-MONTH shortened statutory

period, then the shortened statutory period will expire on the date the advisory

action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no event, however, will

the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from

the examiner should be directed to ASHRAF ZAHR whose telephone number is

(571)270-1973. The examiner can normally be reached on M-F 9:30 am - 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, William Bashore can be reached on (571)272-4088. The

fax phone number for the organization where this application or proceeding is

assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AAZ 6/24/2008

/William L. Bashore/
Primary Examiner, Art Unit 2175